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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,367	03/09/2001	Michael E. Last	LMTT-03	8322

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EXAMINER

MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/802,367

Applicant(s)

LAST, MICHAEL E.

Examiner

Janice A. Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 61-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 61-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This is in response to the applicant's communication filed on February 17, 2005, wherein:

Claims 61-70 are currently pending;

Claims 1-60 have been canceled;

Claims 61-70 have been newly added.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 17, 2005 has been entered.

Response to Amendment

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 61 is rejected under 35 U.S.C. 102(b) as being anticipated by

www.GolfAgent.com (hereinafter referred to as GolfAgent) (retrieved from the Internet Archive

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Wayback Machine of dates 12/6/1998 and 4/28/1999 and 5/2/1999). The subject matter of this rejection are from pages retrieved on 12/6/1998, only).

Regarding Claim 61:

GolfAgent discloses a method comprising the steps of:

with a hub server (page 1-via the Internet),

receiving a request for a web page from a golfer computer via a communications

network, the golfer computer located remotely from the hub server (enter the data range of when you would like to play – page 1);

in response to the request ,

generating a single web page listing multiple tee times available at a plurality of

golf courses (a wide range of golf course) for reservation by golfers (book tee times), the

multiple tee times indicated as available for each golf course for a date being a subset of all of

the tee times at the golf course for the date (all available tee times (subset) at this club on the

dates you require – page 1); and

transmitting the single web page to the golfer computer via the communications

network (it is inherent that the web page is presented to the user since GolfAgent enables users to

book tee times and the system informs the user that the tee time is now reserved -page 1).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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4. Claims 62-70 are rejected under 35 U.S.C. 102(a) as being anticipated by GolfAgent.
(pages for this rejection also include 4/28/1999 and 5/2/1999 pages)

Regarding Claim 62:

GolfAgent discloses a method as further comprising the steps of:

receiving specific tee times posted by a plurality of golf course users' computers

via the communications network, the golf course users' computers located remotely from the hub server and the golfer computer (page 8, Clubs, using course management software, can easily submit and retrieve tee times to the Internet server),

storing the available tee times in a database (a database is inherent since the information must be stored somewhere so as to be available to be retrieved) , and

in response to the request,

retrieving the available tee times from the database for use in the generating the

single web page (page 8, when tee times are booked on the Internet indicates that the tee times were retrieved from a search request).

Regarding Claim 63:

GolfAgent discloses a method further comprising the steps of:

receiving a reservation for a selected golf course and tee time from the user

computer via the communications network (page 1 – you can search for the club of your choice by name or if you would like to view courses in a certain geographical area);

storing the reservation in the database (bookings are made by simply clicking on the tee time of interest, reservations are all online via the Internet - thus a database is inherent) ; and

transmitting the reservation to the computer of the selected golf course via the

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communications network (page 8 – when tee times are booked on the Internet, the golfer's details appear on the club's system as if the person had telephoned the club and they had taken the booking themselves).

Regarding Claim 64:

GolfAgent discloses a method wherein the communications network is the Internet (page 1 Golf Tee Time Bookings Via the Internet).

Regarding Claim 65:

GolfAgent discloses a method wherein the listing of the multiple available tee times are next-day tee times for respective golf courses (page 1 - enter a data range of when you would like to play would include next-day tee times, the system will show you all available tee times, GolfAgent enables Internet users to book tee times at a wide range (multiple) of golf courses).

Regarding Claim 66:

GolfAgent discloses a method wherein the request designates a specific geographic region and the single web page is generated to list available tee times for only the golf courses in the specific geographic region (page 1 – you can view courses in a certain geographical area, page 4 click on the area you would like to play, when ready enter a date range of when you would like to play and the system will show you all available tee times at this club on the dates you require, page 1)

Regarding Claim 67:

GolfAgent discloses a method wherein the request includes a date on which the golfer desires to play but does not require the golfer to specify the golfer's desired time of play in order to generate a list of available tee times (when ready enter a date range of when you would like to

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play and the system will show you all available tee times at this club on the dates you require,
page 1)

Regarding Claim 68:

GolfAgent discloses a method comprising the steps of:

with a hub server,

receiving a request for a web page from a golf course user computer via a
communications network (page 2 – clubs requiring more information on how to sell their tee
times on the Internet using this system, please click on mail icon)

in response to the request, serving the web page to the golf course user computer
via the communications network, the web page comprising a listing of tee times at the golf
course and an interface permitting a golf course user to select specific tee times to be posted to
the hub server via the communications network to be made available for reservation by golfers
via the communications network (page 5 - GolfAgent offers different packages for golf clubs,
and the entry level package involving a self maintainable web page and browser submission and
retrieval of tee times can now be set up over the Internet, (you) can monitor your bookings,
amend your web pate, and monitor its accesses);

receiving the selected tee times posted to the hub server from the golf course
computer via the communications network (page 1 – GolfAgent enables Internet users to book
tee times at a wide range of golf courses); and

storing the specific tee times selected making those specific tee times available upon request
from a golfer computer via the communications network (page 1 the system will show you all
available tee times at this club on this the dates you require),

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the hub server, golf course computer, and golfer computers located remotely from one another (page 8 – Internet server. Golfers, Clubs).

Regarding Claim 69:

GolfAgent discloses a method wherein the web page to the golf course computer indicates the tee times that have been reserved by golfers through the hub server (page 8 – when tee times are booked on the Internet, the golfer's details appear on the club's system).

Regarding Claim 70:

GolfAgent discloses a method wherein the listing of available tee times comprises next-day tee times at the respective golf courses (page 1 – enter a date range could be a next day tee time).

Response to Arguments

Applicant's arguments with respect to prior claims have been considered but are moot in view of the new ground(s) of rejection as to the newly added claims. All prior claims have been cancelled.

The affidavits and declarations filed on February 17, 2005 under 37 CFR 1.131 has been considered but is moot in view of the new ground(s) of rejection.

The affidavit/declarations under 37 CFR 1.132 filed on February 17, 2005 are moot in view of the new ground(s) of rejections.

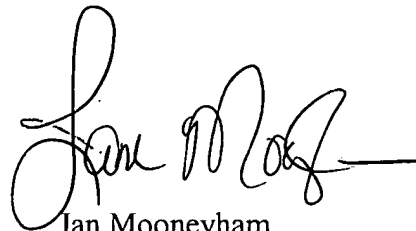
a.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (703) 305-8554. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Jan Mooneyham", with a long horizontal flourish extending to the right.

Jan Mooneyham
Patent Examiner
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